

FAQ: Activation of the Ethical Line

Section 1: Oversight Committee (OC) and Support Unit

1. What is the Oversight Committee (OC)?

The OC is an independent body tasked with monitoring compliance with the Union for the Mediterranean Secretariat (UfMS) Code of Conduct and Anti-Fraud & Anti-Corruption Policy. It oversees ethical standards, investigates Notifications of misconduct, and provides recommendations to the Senior Officials Meeting (SOM) and/or the Secretariat for preventive or corrective actions.

2. What are the specific roles of the OC?

The OC's responsibilities fall into three main categories:

- **Advisory Role:** Providing guidance and recommendations on ethical matters, including the application of the Code of Conduct and Anti-Fraud & Anti-Corruption Policy.
- **Raising Awareness:** Promoting knowledge of ethical standards through training, communication, and integration of principles into agreements.
- **Processing Cases:** Receiving, assessing, and investigating Notifications of misconduct submitted through the Ethical Line. Recommendations based on findings are then submitted to the SOM and/or the Secretariat for action.

3. What are the powers of the OC?

The OC has authority to:

- Access all relevant information and conduct independent investigations.
- Analyse Notifications submitted through the Ethical Line.
- Recommend appropriate measures to the Secretariat and/or SOM for resolution and follow-up actions.

The OC does not have executive or prosecutorial powers; its role is advisory and supervisory.

4. Who decides on the measures to be adopted?

The OC submits its findings and recommendations to the SOM and/or the Secretariat, who have the authority to decide and enforce measures, including disciplinary actions or procedural changes.

5. What is the role of the OC's Support Unit?

The OC's Support Unit consists of externally contracted professionals with expertise in investigations and ethical compliance. The Support Unit:

- Assists in conducting investigations.
- Provides technical and executive support in handling cases.
- Manages tasks related to the Ethical Line platform.
- Assists the OC in its advisory and awareness tasks.

Responsibility for decisions and recommendations remains with the OC, ensuring transparency and accountability.

6. How does the OC raise awareness of ethical norms?

The OC, in collaboration with the Secretariat, promotes awareness by:

- Organizing training sessions for staff and external stakeholders.
- Communicating key updates about the Code of Conduct, Anti-Fraud & Anti-Corruption Policy, and Ethical Line.
- Integrating ethical principles into contracts and agreements.

7. What is the duration of the OC's mandate?

The mandate of the OC is three years, with the possibility of renewal for an additional three years. This ensures continuity and sustained oversight within the UfM framework.

8. Is the OC position paid?

No, the position of the OC members is not remunerated. Members contribute their expertise and time on a voluntary basis to support the UfM's mission.

9. How can I communicate with the OC?

You can contact the OC via the generic email address: oc@ufmsecretariat.org. Please note that this email is intended for general inquiries and topics unrelated to Notifications, which should instead be submitted through the Ethical Line platform.

10. What is the specific role of the OC Secretary?

The OC Secretary, in collaboration with the other two members of the OC, plays a vital role in the operations of the Oversight Committee, including:

- Ensuring that Ethical Line is properly maintained and managed.
- Coordinating and liaising with the OC Support Unit and the UfM Secretariat.
- Preparing and maintaining meeting minutes and records for the OC.
- Serving as a point of communication between the OC and other UfM bodies, such as the SOM.
- Facilitating administrative tasks, including scheduling meetings and overseeing documentation.

The Secretary ensures the smooth and efficient functioning of the committee while maintaining confidentiality and adhering to organizational standards.

11. What are the individual and collective responsibilities of the OC members?

The OC members share collective responsibility for all decisions adopted by the committee. While individual members may express separate opinions, which are duly documented, the resolutions adopted by majority vote are the collective responsibility of the OC as a body. Members are expected to act with professionalism, integrity, and independence.

Section 2: Ethics and Standards

12. Who is bound by the UfM Code of Conduct and Anti-Fraud & Anti-Corruption Policy?

The Code of Conduct and Anti-Fraud & Anti-Corruption Policy apply to all UfMS members, including staff, interns, external personnel, and contractors. Vendors, implementing partners, and responsible parties engaged with UfMS are also required to adhere to these standards.

13. What are the principles and ethical standards of the UfMS?

All UfMS members shall accomplish their activities with a strong commitment to its objectives and respect the principles of loyalty, honesty, confidentiality and impartiality. Additionally, while discharging their professional duties the following principles shall be upheld:

- Objectivity and independence
- Confidentiality
- Competency
- Equal treatment, respect and dignity at work
- Loyalty and professional transparency
- Accountability

14. What is psychological harassment?

Psychological harassment takes the form of repeatedly hostile or tactless remarks, acts or behaviour over a fairly long period by one or more UfMS members towards another member. A disagreeable remark or a quarrel in the course of which unpleasant words are voiced in the heat of the moment cannot be said to constitute psychological harassment. On the other hand, when repeated consistently for weeks or months on end, incessant outbursts of temper, victimization, disagreeable remarks or hurtful innuendoes are clear signs of harassment in the workplace.

15. What is sexual harassment?

Sexual harassment consists of any form of sexual overtures or soliciting that is clearly unwelcome to the person for whom it is intended or any clearly unwelcome remark, gesture or behaviour with sexual undertones.

16. What is sexual blackmail?

This is a particularly serious form of sexual harassment consisting of any situation in which individuals are explicitly or implicitly intimidated or threatened, with a view to obtaining sexual favours, by someone in a position of authority in the workplace or by someone with influence over their recruitment, professional status or career development.

17. What is abuse of power?

Abuse of power involves exceeding the powers conferred in the performance of duties, by taking advantage of colleagues, beneficiaries or other individuals or groups, for financial, political, sexual or other personal or professional gain.

Section 3: Anti-Fraud & Anti-Corruption Policy

18. What is the Anti-Fraud & Anti-Corruption Policy?

This policy outlines UfMS's commitment to preventing, detecting, and addressing fraudulent and corrupt activities. It fosters a culture of zero tolerance for unethical behaviour and protects organizational resources.

19. What are fraud and corruption?

- Fraud is a knowing misrepresentation of the truth or a concealment of a material fact to induce another to act to his or her detriment.
- Corruption is the act of doing something with intent to give or have an advantage inappropriate with official duties, to obtain a benefit, to harm or to influence

improperly the actions of another party. Actions taken to instigate, aid, albeit, attempt, conspire or cooperate in a fraudulent or corrupt act, also constitute fraud or corruption.

20. What is a conflict of interest?

Conflicts of interest arise where private or personal interests of the UfMS members may influence or appear to influence the impartial and objective performance of their duties.

Examples include:

- Financial or familial relationships affecting decision-making.
- Accepting gifts or hospitality from vendors.
- Taking improper advantage of their official functions and positions, including privileged information obtained from such functions and positions, when seeking employment or appointment after leaving their service with the UfMS.

Conflicts of interest must be disclosed promptly, and staff must prioritize UfM's interests.

21. What is the role of the Secretariat in preventing fraud and corruption?

The Secretariat supports prevention efforts by:

- Implementing controls to reduce risks.
- Conducting training and awareness programs for staff and external stakeholders.
- Ensuring contractual agreements promote adherence to ethical principles.

Section 4: Ethical Line and Procedural Aspects

22. Who can access the Ethical Line, and how?

The Ethical Line is accessible to:

- *Internal parties:* All UfMS staff, interns, and non-staff personnel.
- *External parties:* Vendors, contractors, implementing partners, and any individuals with relevant information on misconduct.

The platform is available through the UfM website in multiple languages and supports anonymous reporting.

23. What can be reported through the Ethical Line?

Notifications may include:

- Fraud or corruption.
- Harassment or discrimination.
- Abuse of power or conflicts of interest.
- In general, all breaches of the Code of Conduct or Anti-Fraud & Anti-Corruption Policy.

24. How does the Ethical Line work?

1. *Submission:* Notifications can be submitted via the UfM Ethical Line platform.
2. *Assessment:* The OC evaluates the Notification's admissibility.
3. *Investigation:* If warranted, the OC conducts an investigation with support from the Support Unit or an external investigator
4. *Resolution:* If applicable, recommendations are made to the SOM for action.

25. What are the deadlines for reporting and action?

- *For reporting:* Notifications should be submitted as soon as possible following knowledge of the misconduct. Prompt reporting ensures timely investigation and resolution while maintaining the integrity of the process.
- *For action:* The OC aims to process and address Notifications promptly. Standard investigations should take three months, extendable up to six months if necessary. Updates are provided regularly to ensure transparency.

26. How is confidentiality maintained?

All Notifications and investigations are treated with the highest level of confidentiality. The Ethical Line employs encryption and restricted access to ensure data protection. The OC and its Support Unit are bound by strict confidentiality agreements.

27. Are there any alternative channels for communication other than the Integrity Line available to the Notifiers?

Although Notifications should be primarily submitted through the Ethical Line to ensure confidentiality and proper recording, the Oversight Committee will register and manage all Notifications and enquiries received in their individual or generic email addresses, or any information transmitted in person to the members of the OC. Alternatively, notifications might also be submitted to the public agency *Oficina Antifrau de Catalunya* (<https://www.antifrau.cat/en/mailbox/report-corruption>).

28. How are accused individuals treated?

The OC and the Secretariat ensure a fair and transparent process:

- Accused individuals are informed of allegations.
- They are given the opportunity to present evidence and respond.
- Investigations are impartial and confidential.

29. Are staff required to collaborate in investigations?

Yes. Staff must:

- Provide accurate information and relevant documents.
- Maintain confidentiality during the process.

Failure to cooperate may be considered misconduct.

30. What is the obligation to report misconduct?

All UfMS staff are required to report any observed or suspected misconduct. This can be done through the Ethical Line, directly to the OC or to UfMS management. Prompt reporting ensures organizational integrity.

31. What should I do if I am unsure whether an issue qualifies as misconduct?

If you are uncertain whether a situation constitutes misconduct, you can still report it through the Ethical Line or consult with the OC for guidance. The OC will assess the issue and determine whether it falls under its scope. Reporting in good faith, even if the matter is later deemed inadmissible, is always encouraged and protected.

32. Can I withdraw a Notification after submitting it?

Yes, you can withdraw a report; however, the OC may still proceed with the investigation if the issue involves significant ethical or legal implications. The Ethical Line system ensures that reporters can remain anonymous and retract their submissions securely if necessary.

Section 5: Whistleblower Protections and Confidentiality

33. Can I report misconduct anonymously?

Yes, the Ethical Line supports anonymous reporting. The platform uses secure, encrypted communication and allows anonymous reporters to receive updates.

34. How is confidentiality maintained?

Confidentiality is safeguarded through:

- Secure communication and encrypted systems.
- Restricted access to sensitive information.
- Confidentiality agreements for all involved parties.

35. What protections are in place for whistleblowers?

The UfM enforces a strict non-retaliation policy to protect individuals who report misconduct in good faith. Retaliation, such as dismissal or discrimination, is prohibited and treated as misconduct.

36. What happens if a Notification is made in bad faith?

Reports made maliciously or with intent to mislead may result in disciplinary measures. However, individuals reporting in good faith, even if Notifications are unsubstantiated, are protected.

37. What can I do if I consider that the Notification was not dealt with properly?

If the notifier considers that the Notification was not dealt properly by the OC within the established deadlines, or under certain circumstances, such as when there are reasonable grounds to believe that either the violation may constitute an imminent or manifest danger to the public interest, or where there is a risk of irreversible harm, the public revelation of the case may be justified. The notifier would enjoy the same legal protection, including protection against retaliation.